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INTRODUCTION

On March 18, 1915 the Legislature, through the power vested in it by the people of the State of Maine, voted approval of an “Act to Create a Board of Examination and Registration of Nurses.” This was known as Chapter 139, Public Laws of 1915, and thus began what is today the Maine State Board of Nursing.

Many of the functions required of that first Board continue today, in modified form, as does the basic philosophy expressed over 50 years ago that minimum requirements for schools of nursing were necessary in order to ensure the eligibility of their graduates for licensure in Maine and other states. To quote the original document, “This is just to the pupil and a protection to the public.”

Current authorization for the Board of Nursing is found in Title 32, Maine Revised Statutes, Chapter 31, as amended in 1983.

This manual has been prepared to serve these purposes:

1. to serve as a basic guide to the minimum legal requirements for approval of educational programs in nursing by the Board of Nursing.
2. to provide information and guidance for administrators and faculty, and for all persons concerned with the establishment, development and implementation of educational programs in nursing; and
3. to provide criteria for self appraisal by faculty and serve as a basis for continued program improvement.

1. PHILOSOPHY OF THE MAINE STATE BOARD OF NURSING

The Maine State Board of Nursing believes that:

The Board must accept fully the responsibility inherent in the Law and it must recognize itself as the custodian of the Law, the purpose of which is “to safeguard the life and health of the people in this State,” by ensuring that all practitioners of nursing are qualified. The Board believes that the practice of nursing affects the public health, safety and welfare of the people of Maine.

In order to meet the dynamic needs of society, the Board encourages the development of innovative nursing education programs based on research and sound learning principles. Toward that end, the faculty of any educational program in nursing has the right and responsibility to use its creative powers in developing distinctive and experimental educational programs, within the framework of the Law.

The Board has the responsibility for providing consultation and interpretation in the areas of nursing education and nursing practice.

2. APPROVAL OF EDUCATIONAL PROGRAMS IN NURSING

A. Purposes of Approval

The purposes of approval of educational programs are:

1. to ensure that the educational programs in nursing meet the minimum requirements
2. to designate to the public those schools which give evidence of preparation of competent practitioners
3. to assure the graduates of educational programs in nursing of their eligibility to take the appropriate licensing examination, and
4. to promote the continuous improvement of educational programs in nursing in the State of Maine.

B. Policies Relating to Approval

1. Initial Development of an Educational Program in Nursing

to An institution desiring to conduct an educational program in nursing shall apply to the Board of Nursing and submit evidence that it is prepared to meet standards established by this chapter.

2. Initial Approval

When an institution has submitted evidence to the Board that it is prepared to meet the required standards, and the preliminary procedures have been completed to the satisfaction of the Board, authorization shall be granted to the institution by the Board of Nursing to initiate an educational program in nursing, or extend already established program to another geographical location.

Once authorization has been granted, the necessary steps to develop the specifics of the program shall be carried out. The first of these shall be the appointment of a qualified nurse administrator. At least four months prior to the date for the admission of students, a report on the proposed program shall be submitted to the Board of Nursing by the administrator of the program. The data obtained from this report and from a site visit shall constitute the basis for Board action in granting initial approval.

Extension of an existing nursing program (e.g., extended site, satellite) shall have a nurse administrator/coordinator and shall be accountable to the nurse administrator of the parent institution.

Initial approval of an educational program or an extension of an already established educational program in nursing shall extend from the date of Board action, which precedes admission of the first student, for a period established by the Board of not less than two years. If, at the time of the first subsequent report and site visit, the standards established by this chapter continue to be met, then continuing approval shall be granted.

3. Continuing Approval

Continuing approval is granted to new and extended programs upon expiration of initial approval, and to already established programs. The data obtained from a written report and site visit, conducted periodically as required by 32 M.R.S.A. Section 2153(4) and this chapter, shall constitute the basis for Board action in granting continuing approval.

Any anticipated change in ownership, pattern of organization, or curriculum of an educational program in nursing shall be presented to the Board for review and action, in order to ensure the continuing approval of the program.

a. Waiver of on-site surveys/visits for continuing approval

i. The survey required pursuant to 32 M.R.S.A. § 2104 2. may be waived if the program requests a waiver of the survey in writing. The waiver request shall include:

(a) Documentation that the nursing program is accredited by either the

National League for Nursing Accrediting Commission (NLNAC) or the Commission on Collegiate Nursing Education (CCNE);

- (b) A self-study by the nursing program which evaluates its compliance with the accreditation standards of the Board and either the NLNAC or CCNE;
 - (c) The site survey report from either the NLNAC or CCNE that has reviewed and evaluated the program; and
 - (d) The final report from either the NLNAC or CCNE.
- ii. A program that has been granted a waiver of the on-site/survey visit pursuant to (1) above shall notify the Board with 30 days of the change if the NLNAC or CCNE accreditation status changes.
 - iii. If the Board is notified that a program's NLNAC or CCNE accreditation status has changed, the Board shall send a representative to conduct an on-site visit of the program to verify that the program conforms to the rules of this subchapter. A program that does not conform to the rules of this subchapter shall be placed on conditional approval or probation pursuant to 32 M.R.S.A. § 2153-A. 6.

4. Withdrawal of Approval

Approval of any educational program in nursing may be withdrawn by the Board of Nursing, in accordance with the procedure specified by 32 M.R.S.A. Section 2153(6) and this chapter, if the Board determines that such program is not maintaining the required standards.

5. Discontinuance of an Educational Program in Nursing

Any institution desiring to discontinue its approved educational program in nursing shall notify the Board of Nursing early in its planning. Joint planning at this early stage is necessary in order to ensure educational standards and eligibility of all enrolled students for admission to the licensure examination. The governing institution is responsible for the safekeeping of student records. The Board shall be advised of such dispositions as part of a final written report.

C. Criteria for Approval

1. Authorization

There shall be authorization by the governing institution for the conduct of an educational program in nursing.

2. Accreditation or Approval by Other Organizations

The governing institution, as well as the institutions or agencies cooperating with an educational program in nursing, shall be licensed by the State licensing authority or accredited by an organization acceptable to the Board or approved for educational purposes by the Board of Nursing.

3. Philosophy and Objectives

The philosophy and objectives of the educational program in nursing shall be developed by the faculty and be clearly stated in writing.

The philosophy and objectives of the educational program in nursing shall be consistent with the philosophy and objectives of the governing institution.

The philosophy of the educational program in nursing is an expression of its beliefs about education and nursing, and the responsibility of an educational program to its students.

The objectives of the educational program in nursing is an expression of the purposes or the ultimate goals which the program is designed to achieve.

The philosophy and objectives shall serve as the basis for the development, conduct and evaluation of the program.

4. Administration

- a. The governing institution shall have a sound organizational pattern which allows for the implementation of the objectives of the educational program in nursing.
- b. There shall be an organizational chart depicting relationships of authority and responsibility and channels of communication for the educational program in nursing.
- c. Financial support shall be adequate to provide stability for the development and continuance of the educational program in nursing.
- d. The educational program in nursing shall have general administrative authority and responsibility consistent with the general policies of the controlling institution.
- e. The administrative control of the educational program in nursing shall be centered in the nurse administrator of the program who shall be a prepared educator, who shall have demonstrated evidence of leadership ability and who shall be qualified as follows:

- i. be currently licensed as a registered nurse in this State
 - ii. in programs leading to practical nurse licensure, the nurse administrator shall have a minimum of a masters degree in nursing, preparation in education and administration, and five (5) years of experience in clinical nursing and nursing education
 - iii. in programs leading to registered nurse licensure, the nurse administrator shall have a minimum of a masters degree in nursing, preparation in education and administration, and five (5) years of clinical experience in nursing and nursing education.
- f. Nurse administrators shall be responsible for:
- i. the administration of the nursing education program(s)
 - ii. creation and maintenance of an environment conducive to teaching, learning, scholarly pursuits, and the sharing of faculty expertise through involvement in professional and community activities
 - iii. liaison with the central administration and other units of the governing institution
 - iv. preparation and administration of the budget
 - v. facilitation of faculty development and performance review
 - vi. recommendation of faculty for appointment, promotion, tenure, and retention
 - vii. facilitation and coordination of activities related to academic policies; personnel policies, curriculum, resources, facilities and services, and program and curricular evaluation.

5. Faculty

The realization of a dynamic educational program in nursing is directly dependent upon the commitment and creativity of the faculty. The number and qualifications of faculty members shall be such as will ensure effective performance of their functions and the achievement of the objectives of the program. The distribution of faculty responsibilities shall be so designed as to utilize to the fullest extent the academic preparation and experience of each individual faculty member. The policies in regard to faculty rights and responsibilities shall be consistent with the general policies of the governing institution.

- a. Nursing faculty who teach in programs leading to registered nurse licensure shall:
 - i. be currently licensed as registered nurses in this State; and
 - ii. have a minimum of a masters degree in nursing or
 - iii. obtain approval by the Board as an exception under section (2)(C)(5)(b).
- b. Exceptions. The Board may approve faculty who do not meet the masters degree in nursing requirement in section 2(C)(5)(a)(ii) only under the following circumstances:
 - i. The institution demonstrates to the satisfaction of the Board that it has used substantial effort to recruit a candidate with a masters degree in nursing.
 - ii. The institution demonstrates to the satisfaction of the Board that 80 percent of the nursing program's regular faculty have masters degrees in nursing. For purposes of this subsection, regular faculty shall include master's or doctoral prepared individuals employed to provide didactic or clinical instruction in nursing on a full-time or part-time basis.
 - iii. The candidate to be approved has a masters or higher degree in public health, community health or education with a nursing focus; or,
 - iv. The candidate is currently enrolled in a masters degree in nursing program and can demonstrate to the satisfaction of the Board, with a specific plan of completion, that he or she will obtain a masters degree in nursing within six years. Continuing approval of a candidate under this subsection is subject to the institution or candidate demonstrating annually to the satisfaction of the Board that the candidate is in substantial compliance with his or her plan of completion.
 - v. Emergency Exception. Notwithstanding this subsection, the Board may grant an emergency exception when the institution can demonstrate to the satisfaction of the Board that it cannot comply with section 2(C)(5)(a)(ii) due to an emergency circumstance. An emergency exists when an immediate and unanticipated need for a candidate arises due to reasonably unforeseeable circumstance. Approval of a candidate under this subsection shall be on a short term basis only, such as day-to-day or week-to-week, and any candidate employed under this subsection shall not be deemed a regular faculty member.
- c. Nursing faculty who teach in programs leading to practical nurse licensure shall:

- i. be currently licensed as registered nurses in this State, and
- ii. have a minimum of a baccalaureate degree in nursing.
- d. The professional experience of each nurse faculty member shall be such as to ensure competence as a practitioner of nursing and as a teacher of nursing.
- e. Non-nurse faculty shall meet the standards of the educational institution.
- f. Faculty shall be responsible for the following:
 - i. development, implementation and evaluation of the purpose, philosophy and objectives of the nursing program(s)
 - ii. design, implementation and evaluation of the curriculum
 - iii. development and evaluation of student admission, progression, retention and graduation policies within the framework of graduation policies

within the framework of the policies of the governing institution

- iv. participation in academic advising and guidance of students
- v. evaluation of student achievement in terms of curricular objectives
- vi. participation in the selection, promotion and tenure of faculty
- vii. provision for student and peer evaluation of teaching effectiveness.

g. Personnel Policies

There shall be written personnel policies which promote the stability and retention of faculty.

Job functions and responsibilities shall be defined in writing.

h. Teaching load and faculty responsibility

The teaching load shall be interpreted as including all classroom and laboratory teaching, as well as clinical laboratory guidance and conference time. Faculty-student ratio will be no greater than 1:8 in clinical areas involving direct patient care.

The change in ratio from 1:10 to 1:8 will be effective July 1, 2001.

- i. Faculty shall be responsible for participation in research and other scholarly activities to advance nursing knowledge and to contribute to improvement of nursing practice.
- j. Other personnel who assist faculty (for example, adjunct faculty, clinical associates, laboratory associates, preceptors, and teaching assistants) shall have demonstrated competence for the instruction/supervision assigned to them by faculty. Oversight of the curriculum, supervision of personnel and evaluation of students is the responsibility of the regular faculty.

6. Students

All policies referred to in this section shall be in writing and shall be available to students and faculty.

a. Admission, progression and graduation

The policies pertaining to admission, progression and graduation shall be consistent with those of the governing institution: policies specific to the educational program in nursing shall be developed by its faculty with explicit consideration of the nature and the purposes of the program.

The qualifications for licensure contained in 32 M.R.S.A. Section 2251 shall be considered basic in any admission policies.

Qualified applicants shall be admitted without regard to race, creed, ethnic origin, marital status, sex or age.

Criteria for determining student progress shall be utilized in the evaluation of the student at periodic intervals in the program.

Student rights, responsibilities and opportunities shall be available in written form and shall include student involvement in determining academic policies and procedures, curriculum planning and evaluation and evaluation of teaching effectiveness.

Students shall be required to maintain adequate health in the interest of client welfare including, but not limited to, routine physical examinations and appropriate immunizations.

The requirements for graduation shall be clearly stated and shall include satisfactory scholastic achievement, competence for beginning practice, professional conduct and accountable behavior.

The educational program in nursing shall grant its credential only after the educational requirements have been met in full. Such credential shall bear the date of the actual completion of the educational requirements.

b. Transfer, readmission and advanced standing

Policies relative to transfer, readmission and advanced standing shall be consistent with the general policies of the educational program in nursing and with those of the governing institution.

Such policies shall require that a transfer student to an educational program preparing registered nurses spend not less than one year in the program granting the diploma or degree.

c. Terminations

Policies or procedures pertaining to dismissal and withdrawals shall be clearly stated and shall adequately safeguard the rights of both the student and the educational program in nursing.

7. Curriculum

Development and implementation of the curriculum shall be the responsibility of the faculty and shall include all course content, instructional activities and learning experiences which are planned and guided by the faculty. It shall be based on current theories of learning, shall reflect the philosophy and objectives of the specific program and shall be consistent with the law governing the practice of nursing.

A major characteristic of the curriculum shall be flexibility. Faculty must be ever cognizant of current developments in health care and its delivery, and the implications these have for the practice of nursing. Necessary curriculum revisions shall be made so that the students, upon graduation, will be prepared to meet the professional and legal expectations of a contemporary society.

a. Organization of the curriculum

- i. The selection and organization of the learning experiences in the curriculum shall provide continuity, sequence and integration of learnings and shall fulfill curriculum objectives.
- ii. The school years shall be divided into time periods (semesters, terms, etc.) With dates set for the beginning and ending.
- iii. The ratio between nursing and non-nursing credit shall be based on a well developed rationale.
- iv. Theory and clinical laboratory experiences shall be concurrent.

- v. Course outlines shall be kept current and available to the faculty and students.
- b. Curricula preparing for licensure as a registered nurse shall include the following content areas:
 - i. anatomy, physiology, chemistry, microbiology and physics
 - ii. sociology, psychology, communications, growth and development, interpersonal relations, group dynamics, cultural diversity and humanities
 - iii. pharmacology, pathophysiology, nutrition and diet therapy
 - iv. nursing history and trends, ethics and the professional and legal aspects of nursing
 - v. theoretical and clinical instruction in nursing, which encompass the attainment and maintenance of physical and mental health and the prevention of illness for individuals and groups throughout the life process based on assessing, diagnosing, planning, implementing and evaluating functions
 - vi. beginning understanding of leadership, management, teaching/learning theory and nursing research.
- c. Curricula preparing for licensure as a practical nurse shall include the following content areas:
 - i. basic concepts of anatomy, physiology, chemistry, physics and microbiology
 - ii. basic concepts of communication, growth and development, interpersonal relations and cultural diversity
 - iii. ethics, nursing history and trends, vocational and legal aspects of nursing
 - iv. basic concepts of pharmacology, nutrition and diet therapy
 - v. basic concepts of and clinical instruction in nursing which encompass the attainment and maintenance of physical and mental health and the prevention of illness for individuals and groups throughout the life process based on contributions to assessing, planning, implementing and evaluation functions.

8. Resources, Facilities and Services

- a. Hospitals, nursing homes, extended care facilities, community health agencies and other community settings are potential clinical fields in education for the practice of nursing.
- b. The facilities selected should be characterized by:
 - i. staff sufficient in number, quality and stability to ensure safe and continuous service
 - ii. competent supervision
 - iii. conformance with established standards of nursing care.
- c. The resources for planned learning experiences shall include the quality and variety needed for the objectives of the program.
- d. Appropriate written agreements with cooperating agencies shall be developed, maintained and mutually reviewed.
- e. The physical facilities of the educational program in nursing shall be adequate to the needs of the program and to the size of the faculty and the student body. These include classrooms, conference rooms and laboratories sufficient in numbers to facilitate scheduling of classes on a sound educational basis and to fulfill the objectives of the program. The administrator, faculty and staff shall have adequately equipped office space which is conveniently located and affords necessary privacy for conference.
- f. Provision shall be made for a planned health program, for counseling services, assistance in obtaining financial aid, and for such other services as the objectives of the program may indicate.
- g. A well organized and up-to-date library shall be provided for the use of students and faculty. It is desirable that appropriate library services and a qualified librarian be available to ensure optimum benefits to students and faculty.

9. Records, Reports and Bulletins

- a. Significant, accurate, complete and concise records and reports that clearly reflect the functioning of the total educational program in nursing shall be maintained.
- b. Student records shall be kept up-to-date and shall be considered confidential.

- i. The current record shall include the admission record, including secondary/post-secondary records; courses taken and grades received; scores in any standardized tests taken; health and performance evaluation records.
 - ii. The permanent record shall include a final summary of the significant data from the above records as determined by the governing institution.
 - iii. The record of a student not completing the program shall also be kept on file and shall include a final summary of the significant data accumulated.
- c. Faculty records shall be kept up-to-date and shall be considered confidential. The essential data to be included are:
 - i. application for present position
 - ii. educational and professional history
 - iii. letter of appointment or copy of contract which includes a statement relating to areas of responsibility.
- d. Other current records which should be on file include:
 - i. a master plan of the curriculum
 - ii. accreditation and approval reports
 - iii. reports to governing institutions, if such are prepared
 - iv. minutes of faculty and other meetings, such as curriculum committees
- e. Records shall be safely stored to protect them against loss, destruction or unauthorized use.
- f. Reports shall be submitted to the Board of Nursing, as requested.

10. Evaluation of Program

Evaluation is a planned, ongoing activity directed toward the improvement of the program.

- a. The faculty shall be responsible for determining and developing the methods and procedures to be used in measuring the extent to which the objectives of the program have been achieved and the philosophy is reflected.

- b. The results of the self-appraisal shall be the basis for future action by the faculty in designing program improvement.
- c. There shall be evidence that consideration has been given to incorporating the opinions of nursing administration, faculty, students, graduates and employers in the total evaluation process.

3. REQUIREMENTS FOR PRACTICE FOR RECENT GRADUATES OF EDUCATIONAL PROGRAMS IN NURSING

The statements below identify the basic requirements for licensure for practice for graduates of educational programs in nursing in Maine.

- A. Graduation from an approved educational program in nursing is the first step in meeting the requirements for licensure in Maine.
- B. Following graduation, each candidate must take the National Council Licensure Examination for licensure.
 - 1. A completed application for admission to the licensure examination must be submitted to the Board of Nursing by each applicant, together with the required fee.
 - 2. Once the application is reviewed and approved and the applicant made eligible to take the examination, the individual may schedule a date and time with the testing service to sit for the examination.

4. EFFECTIVE DATE

Except for the provisions governing qualifications of faculty in Rule 2(C)5 of this chapter, these rules shall be effective five days after filing with the Secretary of State. The provision of rule 2(C)5 of Chapter 7 shall apply to any faculty hired after December 13, 1983, but should not apply to any faculty employed by an accredited school of nursing on December 13, 1983, so long as such person continues to be employed by the same institution.

Specific requirements for licensure, by examination and endorsement, to practice nursing in Maine are contained in the LAW REGULATING THE PRACTICE OF NURSING (32 M.R.S.A. Chapter 31) and in Rules and Regulations established by the Board of Nursing.

STATUTORY AUTHORITY: 32 MRSA Section 2153-A, 2104(1)(B)

EFFECTIVE DATE: December 19, 2004